

MICHAEL SNELLING vs. OFFICER STROY
Michael Snelling on 05/30/2017

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<p>1 the cell.</p> <p>2 Q. Okay.</p> <p>3 A. Around 1 and 2 p.m. Officer Stroy came and said, Cell</p> <p>4 14, this is your free time, do whatever you want to do. Okay.</p> <p>5 I didn't know he was out of his cell, Inmate Thomas. I didn't</p> <p>6 know he was out of his cell. But I'm at the kiosk, which is</p> <p>7 the system that you order your commissary --</p> <p>8 Q. Okay.</p> <p>9 A. I had to run and get ready to go back upstairs to</p> <p>10 sleep. My roommate -- I'm trying to think of his name.</p> <p>11 Q. That's okay. You can just call him your roommate.</p> <p>12 A. He had a call out to medical. At that time --</p> <p>13 Q. Meaning that he was gone to medical?</p> <p>14 A. Right, at 700.</p> <p>15 Q. Okay.</p> <p>16 A. So 700 and 600 is side by side each other. And you</p> <p>17 have cameras in each every cell on the floor and in the zone.</p> <p>18 Q. Okay.</p> <p>19 A. At that time I didn't pay no attention. My glasses</p> <p>20 got broke and all of this was hanging below my eye. He stabbed</p> <p>21 me with a weapon.</p> <p>22 Q. Where did he stab you?</p> <p>23 A. By my right eye.</p> <p>24 Q. By my right eye.</p> <p>25 A. Officer Stroy, he talked the officer of taking</p>	<p>1 Q. Thomas?</p> <p>2</p> <p>3 A. Yeah.</p> <p>4 Q. Okay.</p> <p>5 A. And plus he was GD and, you know, --</p> <p>6 Q. Meaning part of a gang?</p> <p>7 A. Right. Right. So he can be on the upper floor.</p> <p>8 Q. Okay.</p> <p>9 A. To make the story short, he didn't come up to the</p> <p>10 stairs by the camera where Officer Stroy was standing at. He</p> <p>11 bypassed those stairs.</p> <p>12 Q. When you say, he, you talking about Thomas?</p> <p>13 A. Thomas.</p> <p>14 Q. Okay.</p> <p>15 A. He bypassed the stairs, came up towards my way where</p> <p>16 the kiosk is at up to the other stairs because his room was</p> <p>17 610. Swear under oath, without a doubt, I hit the floor so</p> <p>18 hard. There's a scar right here to prove it. I have a plate</p> <p>19 in my neck. I was pronounced dead before I got on the gurney.</p> <p>20 At that time I stayed in the hospital for a total of 11 days.</p> <p>21 I didn't get out of the hospital until about January.</p> <p>22 Q. Okay.</p> <p>23 A. All I'm saying that Officer Stroy had a job to do and</p> <p>24 he did not do the job right. And what he did he stood there</p> <p>25 and watched this inmate jump me. And when I passed out, I went</p>
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<p>1 handcuffs off of him and let him walk to his cell by himself.</p> <p>2 The officer stood there. This inmate has no handcuffs on him.</p> <p>3 So he's at the red zone of the door at the entrance of the jail</p> <p>4 on the 7th side of 600.</p> <p>5 Q. Okay.</p> <p>6 A. At that time I didn't notice nothing. There's two</p> <p>7 sets of stairs in the Fulton County Jail.</p> <p>8 Q. And let me stop you. You're claiming -- why should</p> <p>9 he have had handcuffs on?</p> <p>10 A. Because that's the rule.</p> <p>11 Q. Okay.</p> <p>12 A. Anytime you're in admin lockdown, you must have</p> <p>13 handcuffs on.</p> <p>14 Q. Okay. And so he was on admin lockdown because of the</p> <p>15 phone and you were on admin lockdown because of the marijuana?</p> <p>16 A. No, no. I wasn't on lockdown.</p> <p>17 Q. Oh, you weren't? Okay.</p> <p>18 A. I just wanted to be there.</p> <p>19 Q. Oh, okay.</p> <p>20 A. Because it's getting away from the irritation.</p> <p>21 Q. So there was nothing that caused you to be on</p> <p>22 lockdown?</p> <p>23 A. No.</p> <p>24 Q. But he was on lockdown because of the phone?</p> <p>25 A. Yeah.</p>	<p>1 into a seizure, which they said a coma. And I blacked out.</p> <p>2 Q. Well, I want to ask you a couple of questions. So</p> <p>3 first off you said he stood there and watched the inmate jump</p> <p>4 you. Did you know the inmate was about to jump you?</p> <p>5 A. No.</p> <p>6 Q. Well, how -- and this is pure speculation, but how</p> <p>7 would Officer Stroy have known that the inmate was about to</p> <p>8 jump you?</p> <p>9 A. Because me and that -- I'm going to be truthful. Me</p> <p>10 and the inmate had a problem because every time my cell mate</p> <p>11 would say something about him or something or, you know, being</p> <p>12 too friendly, and I don't get along with people because of my</p> <p>13 mental health issues.</p> <p>14 Q. Okay.</p> <p>15 A. Not to bring that up in the record.</p> <p>16 Q. I understand.</p> <p>17 A. I don't get along with certain people. I'm a loner.</p> <p>18 I'm just -- you know, don't ask me for nothing. Don't bother</p> <p>19 me. Don't get me involved.</p> <p>20 Q. Okay. So you had a conflict with Thomas?</p> <p>21 A. So that's right.</p> <p>22 Q. And what was the conflict a result of?</p> <p>23 A. It had something to do with my cell mate.</p> <p>24 Q. Okay.</p> <p>25 A. And he was the cause of it because I believe my cell</p>

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<p>1 mate wasn't -- Thomas wouldn't let him use the phone.</p> <p>2 Q. Oh, okay. I see.</p> <p>3 A. Where I was in the wrong by putting money on this</p> <p>4 phone.</p> <p>5 Q. I see.</p> <p>6 A. He didn't mention he had a phone. It went on the</p> <p>7 wall phone, so I had to get my people to reverse it to that.</p> <p>8 That came to a big problem. So I had it stopped because I</p> <p>9 didn't know he stole somebody else's phone.</p> <p>10 Q. So the conflict was basically because you cut off</p> <p>11 access to somebody's phone?</p> <p>12 A. Right.</p> <p>13 Q. I'm following you. Okay.</p> <p>14 A. And there was a contract involved. He said there was</p> <p>15 going to be four people; me and him -- and I had the tablet. I</p> <p>16 made phone calls. Okay? But he lied to me and said it was</p> <p>17 going to be four people. You've got zone 6, 100, 200, 300</p> <p>18 riding off \$163.</p> <p>19 Q. This is your roommate you're referring to?</p> <p>20 A. Inmate Newton Thomas -- Well, Thomas.</p> <p>21 Q. All right.</p> <p>22 A. Officer Stroy was one day -- I can't think back, but</p> <p>23 it was somewhere between -- around November. Thomas was asking</p> <p>24 him to bring another phone in because he was trying to sell</p> <p>25 them. So he came to my cell one day showing me different</p>	<p>1 (ph), he's the one who got me to Grady Hospital when it took</p> <p>2 place.</p> <p>3 Q. Okay.</p> <p>4 A. I'm trying to think of some other names. The</p> <p>5 sergeant that worked with Officer Stroy, I can't think of his</p> <p>6 name. He's a black male. Anyway, he said he was going to</p> <p>7 handle it by trying to get him to see a lawyer and have</p> <p>8 somebody come talk to me. He never did.</p> <p>9 Q. Okay.</p> <p>10 A. So I talked to Major Walker. They had me on MSU or</p> <p>11 something like that, MOU, which was something like protective</p> <p>12 custody. They had me on the 6th floor.</p> <p>13 Q. Okay. Because you had been getting threats from</p> <p>14 Inmate Thomas?</p> <p>15 A. Other inmates, yes.</p> <p>16 Q. Oh, other inmates?</p> <p>17 A. Other inmates.</p> <p>18 Q. Including Thomas?</p> <p>19 A. Yes.</p> <p>20 Q. Okay.</p> <p>21 A. And it's all through the phones. All they do is send</p> <p>22 one text or phone call, which everybody had everybody's phone</p> <p>23 number in that jail.</p> <p>24 Q. Okay.</p> <p>25 A. And that's what took place.</p>
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<p>1 phones, how much they cost. They were like \$30, \$40, depending</p> <p>2 on what you get.</p> <p>3 Q. Okay.</p> <p>4 A. So I said I'm not getting involved with this. So I</p> <p>5 told my people about it. So before the accident happened --</p> <p>6 Q. And who were your people?</p> <p>7 A. I'm fixing to get you the names now.</p> <p>8 Q. Okay.</p> <p>9 A. Khajedius -- I can't say it. It's K-h-a-j-e-d-i-u-s?</p> <p>10 Q. That's your girlfriend?</p> <p>11 A. No.</p> <p>12 Q. Oh, okay.</p> <p>13 A. Just a friend.</p> <p>14 Q. Okay. Just a lady friend?</p> <p>15 A. Yeah.</p> <p>16 Q. Okay.</p> <p>17 A. Cause she do my money for me.</p> <p>18 Q. Okay. So just a family member? Do you keep in touch</p> <p>19 with Khajedius?</p> <p>20 A. All the time.</p> <p>21 Q. Okay.</p> <p>22 A. So I had her to contact classification to have me</p> <p>23 moved before anything took place and it was never done. She</p> <p>24 said she called the jailer, which was the other jailer and he</p> <p>25 didn't do nothing. Major Walker is involved. Sergeant Grill</p>	<p>1 Q. Okay.</p> <p>2 A. I almost had a fight on 6 North and I was in a</p> <p>3 one-man cell where all of my commissary was stolen. Then I</p> <p>4 almost got stabbed up. Then going to court. This happened on</p> <p>5 June -- I was going to court and Inmate Thomas was right in</p> <p>6 front of my face at that time and the State was supposed to</p> <p>7 keep us separated from cell to cell going to court. He started</p> <p>8 saying I did this and I did that.</p> <p>9 Q. They're supposed to keep all the inmates separated</p> <p>10 and you specifically from Inmate Thomas?</p> <p>11 A. Me separate.</p> <p>12 Q. From Inmate Thomas?</p> <p>13 A. Yes.</p> <p>14 Q. So let me ask you this: So it sounds as if, you</p> <p>15 know, officers were aware of that fact that there were ongoing</p> <p>16 issues, correct? Am I correct about that?</p> <p>17 A. Right.</p> <p>18 Q. Including Officer Stroy, but, again, on that</p> <p>19 particular day when he un-cuffed this gentleman so that he</p> <p>20 could walk to his cell, what evidence do you have that Officer</p> <p>21 Stroy had any awareness that Inmate Thomas was about to swing</p> <p>22 on you?</p> <p>23 A. Because when he came in --</p> <p>24 Q. And who is he?</p> <p>25 A. Thomas.</p>

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<p>1 Q. Okay.</p> <p>2 A. He came in and swung and hit me. And then I was on</p> <p>3 MOU. I can remember the officer coming back telling me that</p> <p>4 Thomas said he talked Officer Stroy of letting him walk back to</p> <p>5 his cell on his own.</p> <p>6 Q. Okay.</p> <p>7 A. That's a violation of the codes.</p> <p>8 Q. I understand that. And that all could be true, but</p> <p>9 that still doesn't answer my question. How could Officer Stroy</p> <p>10 have known that he was going to take that opportunity, he being</p> <p>11 Nyron Thomas, to swing on you, to attack you, to assault you?</p> <p>12 A. I say this because any other person as me being in</p> <p>13 that jail, not one officer or lieutenant ever let an inmate</p> <p>14 walk to his cell with another inmate out of the cell. Instead</p> <p>15 he's saying, go to your cell until I escort this inmate to the</p> <p>16 jail.</p> <p>17 Q. Okay. I understand that. And let's say he made a</p> <p>18 very poor decision of doing that, but that still doesn't get to</p> <p>19 the heart of how Officer Stroy would have known that this</p> <p>20 gentleman would have taken the opportunity to try to attack</p> <p>21 you. Do you have any evidence that Officer Stroy knew that</p> <p>22 when he took those handcuffs off, that this gentleman was</p> <p>23 coming to attack you?</p> <p>24 A. I ain't got evidence on camera because I'm not trying</p> <p>25 to get nobody for their money. It's just what happened to me</p>	<p>1 Q. Yes, as he approached you.</p> <p>2 A. -- knocked me out.</p> <p>3 Q. And he was one swing that he knocked you out?</p> <p>4 A. With a weapon.</p> <p>5 Q. Okay. With a weapon.</p> <p>6 A. And when my head hit that ground, my back is still</p> <p>7 messed up.</p> <p>8 Q. I understand.</p> <p>9 A. I barely could stand up.</p> <p>10 Q. But with all that said, it's not as if there was an</p> <p>11 ongoing fight that resulted between you and Thomas?</p> <p>12 A. He should've called for backup and he never called</p> <p>13 backup.</p> <p>14 Q. But how do you know that? You said you passed out.</p> <p>15 So how do you know if he never called for backup?</p> <p>16 A. Listen, I'm not trying to confuse myself.</p> <p>17 Q. I'm not trying to confuse either. But you said you</p> <p>18 had hit the floor and passed out?</p> <p>19 A. When I hit that floor -- you know how you get hit and</p> <p>20 you hit the floor?</p> <p>21 Q. Fortunately I've never had that to happen, but I can</p> <p>22 imagine.</p> <p>23 A. I got up and --</p> <p>24 Q. But you did say that you passed out, right?</p> <p>25 A. I passed out.</p>
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<p>1 could have happened to anybody.</p> <p>2 Q. I understand. And that something that happened to</p> <p>3 you was very bad. And I get that. But what I'm trying to get</p> <p>4 at is with Officer Stroy, how did he have any idea what was</p> <p>5 happening to you? You acknowledge you didn't have any idea of</p> <p>6 what was about to happen to you, right?</p> <p>7 A. When I got hit, --</p> <p>8 Q. Say yes or no, and then you can explain your answer.</p> <p>9 You didn't have any knowledge that this man was about to --</p> <p>10 A. I never did.</p> <p>11 Q. So how would anybody have known this man, other than</p> <p>12 him, being Mr. Thomas, was about to swing on you?</p> <p>13 A. Me and Thomas had ups and downs.</p> <p>14 Q. I understand.</p> <p>15 A. I'm getting to the part about Officer Stroy.</p> <p>16 Q. Okay.</p> <p>17 A. Officer Stroy had dealings with him. Officer Stroy</p> <p>18 stood at that red zone. Instead of stopping this inmate to</p> <p>19 come up to the stairs by him or getting that escort, which is</p> <p>20 back up, which is a sergeant or lieutenant to escort this</p> <p>21 inmate back to his cell. He stood at that red zone and watch</p> <p>22 all this took place until I collapsed on my face.</p> <p>23 Q. Well, when you say, watched all it took place, did</p> <p>24 he --</p> <p>25 A. As in the inmate approached me, --</p>	<p>1 Q. So how do you know he didn't call for backup?</p> <p>2 A. Because when I came in and I got back up and sat on</p> <p>3 the stairs, that's when I collapsed again. That's when the</p> <p>4 lieutenant came in.</p> <p>5 Q. Okay. But that doesn't mean Officer Stroy didn't</p> <p>6 call backup? How do you know he didn't call backup?</p> <p>7 A. I can't really say.</p> <p>8 Q. That's exactly right.</p> <p>9 A. I can't say.</p> <p>10 Q. You can't say.</p> <p>11 A. Anyway, from the beginning, we're looking at the</p> <p>12 beginning.</p> <p>13 Q. I understand.</p> <p>14 A. When there should have been handcuffs on the inmate</p> <p>15 and another escort in the cell of the zone at that time.</p> <p>16 Q. I understand what you're saying. So your issue is</p> <p>17 that he broke policy, but him breaking policy doesn't mean that</p> <p>18 he was deliberately indifferent to the fact that this other</p> <p>19 inmate -- that he knew that this other inmate was going to</p> <p>20 assault you. What evidence do you have that he knew -- Officer</p> <p>21 Stroy knew that the moment he took those handcuffs off that he</p> <p>22 had an intention to come and assault you? And when I say, he,</p> <p>23 I'm talking about Nyron Thomas.</p> <p>24 A. I have a proof, but I sent the request in.</p> <p>25 Q. Okay. Well, tell me what it is. That's why we've</p>

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<p>1 at and that's the front entrance. He came in my direction and</p> <p>2 knocked the stairs that way knowing there was a set of stairs</p> <p>3 by the kiosk.</p> <p>4 Q. So he bypassed the stairs and came in your direction?</p> <p>5 A. Yes.</p> <p>6 MR. JACKSON: He came towards your front?</p> <p>7 THE WITNESS: He came towards me.</p> <p>8 MR. JACKSON: So he didn't come from your blind side</p> <p>9 or anything?</p> <p>10 THE WITNESS: No, he just came straight at me. I</p> <p>11 didn't pay no attention to him because my back was turned.</p> <p>12 And all I felt was a deep punch.</p> <p>13 BY MS. PALMER:</p> <p>14 Q. You said your back was turned?</p> <p>15 A. My back was like -- say, this is the kiosk. But my</p> <p>16 back my like turned to the side. I seen him coming.</p> <p>17 Q. Out of your peripheral vision you could see him</p> <p>18 coming?</p> <p>19 A. Right where the kiosk is.</p> <p>20 Q. Okay.</p> <p>21 A. I seen him coming at me from the entrance.</p> <p>22 Q. Towards the front of your body?</p> <p>23 A. Right. And missed the set of stairs.</p> <p>24 Q. But you didn't think anything about it?</p> <p>25 A. No.</p>	<p>1 Snelling. She can send you a copy of the deposition here.</p> <p>2 (DEPOSITION CONCLUDED AT 12:45 P.M.)</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
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<p>1 MR. JACKSON: So he wasn't running or anything?</p> <p>2 THE WITNESS: No. I thought he was normal until I</p> <p>3 hit that floor.</p> <p>4 MR. JACKSON: Right.</p> <p>5 THE WITNESS: I'm trying to remember everything I</p> <p>6 can.</p> <p>7 MR. JACKSON: And once he hit you, you pretty much</p> <p>8 lost consciousness immediately?</p> <p>9 THE WITNESS: Yeah. And then when I got up, I was</p> <p>10 still shaking and blood was dripping all over the place.</p> <p>11 It was everywhere. And I made it to the stairs. So the</p> <p>12 words I could hear from Officer Stroy's mouth, sit down.</p> <p>13 I sat down and tried to balance myself. And then the last</p> <p>14 few words came from my mouth, I'm about to go into a</p> <p>15 seizure. My body started locking up. When I fell off the</p> <p>16 stairs, that's when they called backup.</p> <p>17 BY MS. PALMER:</p> <p>18 Q. So Officer Stroy was trying to render aid and he told</p> <p>19 you to sit down. I mean, you were moving around obviously?</p> <p>20 A. When I hit that floor, I got up.</p> <p>21 Q. And that's when he told you to sit back down?</p> <p>22 A. Yeah, because they didn't know what was broken or</p> <p>23 what was messed up on.</p> <p>24 Q. I understand.</p> <p>25 MS. PALMER: Okay, that's it. Thank you so much, Mr.</p>	<p>1 CERTIFICATE OF REPORTER</p> <p>2</p> <p>3 GEORGIA, HOUSTON COUNTY:</p> <p>4</p> <p>5 I, Kimberly "Cissi" Goolsby, Georgia Certified Court</p> <p>6 Reporter B-2043, certify that acting in such capacity</p> <p>7 on May, 30 2017, I Reported the deposition of Michael Snelling</p> <p>8 and on the foregoing pages, both inclusive, have</p> <p>9 transcribed or have had transcribed under my direction</p> <p>10 a true and accurate account of such testimony.</p> <p>11</p> <p>12 I FURTHER CERTIFY that I am not counsel for nor</p> <p>13 related to any of the parties; nor am I interested in</p> <p>14 the event or outcome thereof.</p> <p>15</p> <p>16 WITNESS MY OFFICIAL SEAL and signature, this 23rd day</p> <p>17 of June 2017.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>